

HONOLULU
Library & Reading Room
ASSOCIATION

THE HONOLULU REPUBLICAN.

VOLUME I, NO. 59

HONOLULU, H. T., THURSDAY, AUGUST 21, 1900.

PRICE FIVE CENTS

STORY OF THE RIOTING AND PILLAGING IN PEKING IN JUNE.

As Told in a Diary of Events Written by a Chinese Official of the Six Boards.

Graphic Description of the Burning and Pillaging by the Boxers and Imperial Troops—How the German Minister Met His Death.

THE Japan Gazette of August 8th, published at Yokohama, contains the following, which it is claimed was especially translated for the North China Daily News:

We take the following graphically written "Diary of Events in Peking" from the Universal Gazette, written by a Chinese official holding a high post in one of the six boards in Peking, embodied in a letter to his family living in the vicinity of this port. The words in brackets are added by us to make the meaning of each passage clear:

"To give you all at home an idea of the trend of events which have led to the present debacle in Peking, you must know that the Boxer organization had its origin in Shantung province. The object of the Boxers was the indiscriminate massacre of Christians, the burning down of churches and the killing of all foreigners. These Boxers organized themselves into bands, erected altars to mark their gathering places and set up a certain personage as the author of their sect, whom they worshipped. These Boxers claimed that they could bring down the gods to dwell in their persons and, imbued thereby, claimed that they could use their weapons with great rapidity on their enemies, make themselves invulnerable against bullets and shells and even further declared that they had the power to stop the rifles and big guns of the enemy from firing upon them. It seems that the whole country believed in these declarations and crowded to join the Boxers, youths and laas being especially conspicuous in numbers. Then news reached us, in the middle of May last, that the Boxers had seized the city of Chochow (some fifty miles southwest of Peking), murdered the officials there and had begun tearing up and destroying the railway. Our emperor, upon hearing of these outrages, desired to suppress these Boxers, but the high ministers in power at court were devout believers in the potency of the Boxers and strongly stood up for them before the throne. On the 8th of May, Tung Fu-shiang had an audience of the throne, and upon being questioned stood up and accepted all responsibility in the war of extermination of foreigners, which he strongly advocated, staking his head on his ability in successfully combating the foreign powers. The result was that instead of ordering the suppression of the Boxers the policy of the government was suddenly changed and an imperial decree was immediately issued appointing Kang Yi and Chao Shu-chiao, imperial high commissioners, to organize the Boxers in the vicinity of Peking and bring them under government control. During this crisis the various foreign powers also sent some 400 troops into Peking to protect their legations. By the 12th of June the Boxer outbreaks had begun to tear up and destroy the railway between Peking and Tientsin, and from that day also began to enter the city walls of Peking, crowding in at the rate of over 1,000 a day. Altars (gathering places for recruits, etc.) were erected by them all over the city. At this time also these outsiders began the slaughter of Christians and the burning of churches outside of Peking, whences the latter have been left until none of us could escape, standing. As matters thus poured amongst the Christians, they poured into the capital, taking refuge in the legations situated in the Tung-fu-ching street (otherwise known as Legation street). This state of affairs, I may say, existed in the capital during the first days of June, from which time I began to jot down the following diary of events as they occurred before my own eyes and were personally experienced by me:

"13th June, 1900.—About dusk, while in the university (of Peking), I saw four places on fire, whereupon I immediately returned to my house, subsequently learning that all the churches and mission properties inside the 'Eastern City' had been set fire to and entirely destroyed, the configuration of the Lamplight Market (Night Bazaar) having been especially destructive, lasting far into the next day.

"14th June—I passed the Panah residence this morning. The building in the rear of that is now the headquarters of Tung Fu-shiang and his Kansu troops who, I may state, had already entered the city a few days previously. (The Kansu troops, since their arrival from Kansu in the autumn of 1898, had always been kept encamped outside Peking and prohibited from entering the city walls). Tonight there was a huge commotion and rioting, mostly in the eastern and western great thoroughfares, after which a great fusillade of rifle firing succeeded. This was due to those places being near the Austrian legation, the inmates of which, hearing a great commotion

LIBEL SUIT AGAINST REPUBLICAN DISMISSED.

Judge Wilcox Sustains Contention of Lack of Jurisdiction.

AS SET FORTH BY DEFENDANT. PROSECUTION ADMITS IT CAN NOT COMBAT SUPREME COURT DECISIONS. But Makes a Strong Plea to Have the Editor of The Republican Held to the Circuit Court.

"The contention of the attorneys for defendant that this court does not possess jurisdiction in this case is sustained. The further motion that defendant be discharged is granted. Only the other day the attorney-general of the Territory, the highest legal advisor of the land, appeared in this court in the case of Barney, who had been arrested for the murder of Lorbeer, and held that Barney should not be arraigned in this court or held to the grand jury by this court; that the grand jury was in session and it would return a presentment or indictment in the case. Under this advice from the attorney-general I do not see how I can bind defendant in this case to an appearance before the grand jury. The complaint is therefore dismissed and the defendant discharged."

Such were the remarks of Judge Wilcox of the District Court yesterday morning in dismissing the charge of libel preferred by W. A. Kinney against the editor of The Republican.

There was the usual number of Monday morning cases in the police court. The calendar being cleared of these before the libel suit was called. Mr. Kinney was assisted in the prosecution by Messrs. McClanahan and Bigelow, with Deputy Sheriff Chillingworth and Lianahan as counsel. Messrs. F. W. Hankey and J. Alfred Magoon appeared for the defense.

The defense waived the reading of the charge, agreeing to its being deposited with and filed by the clerk. They moved to dismiss the complaint on the ground that the original complaint charged the general crime of libel and the second or amended complaint, which specified the grounds of libel, was not sworn to. Judge Wilcox overruled the motion and Mr. Hankey then presented the following plea in bar to the jurisdiction of the court:

"Now comes the above named defendant in his own proper person and by J. A. Magoon and Frederick W. Hankey, his attorneys, and protesting that he is not guilty of the offense charged in the complaint, but reserving his plea thereof; pleads to said complaint that it appears upon the face thereof that this honorable court is without jurisdiction in said case for the following reasons:

"First.—The complaint herein charges an infamous crime for which defendant can be arraigned or tried only upon presentment or indictment by a grand jury.

"Second.—That the punishment and penalty which may be visited upon conviction are, and each of them is, infamous.

"Third.—That the offense charged is such that the defendant is entitled to a jury trial, as guaranteed by the constitution of the United States, in the first instance, without resort to an appeal, and that this court is not empowered by law to grant defendant that right.

"Therefore defendant alleges that this court has no jurisdiction of said complaint or cause and prays that the same be dismissed and the defendant discharged."

In support of this plea Mr. Hankey presented an extremely able argument upon the constitutional questions involved. He contended first that the crime of libel was an infamous offense from the fact that under the penal code of Hawaii it was punishable by imprisonment in the Oahu prison. He presented numerous authorities as to what constituted an infamous offense.

Then he contended that the United States constitution guaranteed a man charged with crime a trial by jury; that such trial could not be had in the district court of Hawaii and no matter even if such trial could be secured on appeal it must be granted in the first instance; that the proper method of procedure and the only one under which defendant could be prosecuted for criminal libel was by a presentment by a grand jury. He cited the case of Callen vs. Wilson in the 12th United States Reports, in which the United States supreme court held in 1853 that a person accused of an infamous crime was entitled to trial by jury in the first instance. This decision was rendered in a case appealed from the supreme court of the District of Columbia, the defendant being first tried in the police court, which corresponds very closely to the district court of this Territory. He was not indicted by a grand jury nor was he granted a jury trial in the first instance. The court held as stated that he must be granted a jury trial in the first instance.

This decision was reaffirmed by the 15th U. S. page 1, rendered in 1855, the Callen vs. Wilson case being specifically referred to by the court as a case in point. This decision also referred to what constituted an infamous crime.

This point of law, Mr. Hankey contended, was settled by the decision of the supreme court in the case of Barney, who had been arrested for the murder of Lorbeer, and held that Barney should not be arraigned in this court or held to the grand jury by this court; that the grand jury was in session and it would return a presentment or indictment in the case. Under this advice from the attorney-general I do not see how I can bind defendant in this case to an appearance before the grand jury. The complaint is therefore dismissed and the defendant discharged."

FIGHTING FOR THEIR LIVES IN THE INTERIOR OF DISTURBED CHINA.

Terrible Experience of a Party of Missionaries of the Presbyterian Church.

Cut Down by Swords in the Hands of the Boxers—Robbed, Beaten and Maltreated by Hordes of Howling, Fanatic Yellow Devils.

ON board of the China is a party of missionaries driven out of China by the Boxers. The party comprises the Rev. J. Goforth, Mrs. Goforth and four children, Mrs. Simmon, Miss Pyke, Miss McIntosh and Miss Dow, M. D. They are members of the Canadian Presbyterian mission. Mr. Goforth has been in China twelve and a half years and speaks the language fluently. The party was stationed at the N. H. H. H. mission. The missionaries had a terrible experience. Mr. Goforth told his thrilling story to a Republican reporter last night. He wore a bandage around his head in consequence of a sword wound received in an attack upon his party by Chinese bandits.

"All was quite peaceful in the city when we left on the 28th of June," said Mr. Goforth, "but there were rumors of fighting in the north, especially amongst the people of the outlying market towns. We had official protection and the officers seemed desirous of aiding us. We were told, though, that if the Boxers came our safety could not be guaranteed, willing as they were to do so. It was just at this time the consul advised us to go to Chinanfu, as there was a steamer lying there chartered to take off refugees. As soon as we heard this we asked the prefect to let us have an escort.

"He treated us very discourteously, leaving us waiting in an outer room and would not receive us. There were crowds of natives outside, and a friendly disposition, taking a message in the prefect's name, came to us saying the prefect refused to let us go.

"We told him we knew the prefect and that he must grant us an escort and send word to the prefect that night that we were coming. When leaving I said, 'The foreign powers have seized Taku and a settlement of this trouble must come. Next day he sent word, saying we could have all we wanted, but that the carters would not go to the northeast. He said, 'If you go to the south I will give you a good escort, but only to Fancheng; I can only send word from place to place. He sent soldiers and deputies to Weishienfu and but for them we should have had a very hard time. When stopping at an inn, after the deputies left, the natives threw stones over the inn-yard.

"We got soldiers and deputies at Weishienfu and from there to the south of the Yellow river we had perfect peace. The Hausse refused and sent some underlings with us instead of deputies. At the Yellow river I met Mr. Jameson, the engineer, and we had the benefit of his escort, otherwise things would have gone hard with us. This was now the 1st of July. We traveled together and when we reached Nanyang prefecture, Mr. Jameson, who was anxious for the safety of himself and us, as he had not sufficient force to protect us all, said he had heard the district was disturbed and that he would try to make thirty li (a li is a third of a mile) over night. We went to stay at Hsintien, a market town. He would go on to Nanyang, the prefectural town, and get troops to guard both parties.

"We decided to divide our party, taking separate roads. Mr. Jameson offered his escort to help us and said he would get another for us. In this Mr. Jameson failed, the prefect saying they were at war with other counties and could have nothing to do with any of us. We only heard this next morning. About two hours after arrival on the evening of the 7th our innkeeper brought in a report that there were seven armed men coming to take the inn and all we had. These men asked for money and were refused.

"Word was sent to the mayor that we held him responsible for us that night and he sent a man off with one of our men to the native magistrat, and we sent a letter by the men to Mr. Jameson telling him of the state of affairs. We barricaded the inn gates with carts and all sorts of things and collected stones, etc., for our defense inside the yard. All passed quietly that night. Our messenger came back from the prefecture saying Mr. Jameson had had no success there and we as he did; there was no hope of help should have to make our way home from him.

"The Hsien magistrate did send out a few unarmed men, and after we had asked for men fully armed, and our carters refused to go on until we guaranteed to pay them for all their losses. This delayed our start until 3:30 a. m. Then the mayor of the town ordered us to go, saying he would send an armed escort down to see us thirty li from the place. He knew he was sending us into a trap and showed his duplicity very clearly. When we started the streets were crowded with people and the walls were swarming with them. Outside the gate there were at least 15,000 spectators. Presently we saw two bands of several hundreds, armed with swords, spears and guns, one lot standing in a body waiting for us to come to them and the other was along the wall ready for a rear attack. There was nothing for it but to go on.

Our little band numbering eleven adults, five men and five children. We had only three revolvers amongst us.

"The whole crowd came on with a rush. They began pelting stones at our covered carts, but fortunately we had them lined and covered with rugs on account of the heat and none of the missiles came through. Falling in line, they cut our animals across the back with swords and when they were all tangled up we had to defend ourselves. I got nine wounds on my arms and hands, the only serious one being on the head at the back of the skull. That knocked me over for a while; I also got eight blows with clubs, one paralyzing me, and I felt pretty well all gone. They also attacked the cart where my wife and 8-month-old child were. One ruffian made a desperate stab at my wife, but she warded the blow with a pillow. Another cut was made, but she stopped it with a quilt. My little boy of 9 had many narrow escapes; also my little girl of 6. Taking my wife and family away from the cart we left the horde to plunder it.

"Some of them followed us into the open, saying: 'We'll not let you go further south; we will kill you.' The little girl got a heavy blow on the breast from a large piece of dried earth. My wife pleaded to them, speaking of their usual kindness to children, and that seemed to have good effect, as they then left us. We reached a village where we were goodly better treated, the people giving us medicine for our wounds and also food and clothes for the children. One of my four little ones was away in another cart and these people at once sent they would find her and bring her back. They were Mohammedans, those folk. They were alarmed at our presence and wanted us to leave, saying we all would be killed. The men, however, said they would fight for us.

"Regarding another member of the party, Mr. Griffiths, Mr. Goforth said: He had a revolver and it was broken in his hand by a stone as he was making the attack. He then got a blow on the head, and with his back to the cart, fought like a hero, keeping the swordsmen at bay although being badly cut. Mr. Griffiths used his revolver to frighten the mob and he, too, was severely injured. Dr. Leslie, who was most seriously injured, also had a revolver, as his wife had been very ill for some time and he was guarding her when a yellow sneaked up with a sword and nearly severed his right hand, rendering it, by the way, useless for life. As his main tendon was severed. He was at one time on the knee and the tendon of one leg was cut through, making him lame for life. As for myself, I got a blow across the neck with a sword, the back of a sword or a very blunt one. At first I thought my head was split off, and for a day or two after found it painful to speak above a whisper. Dr. Leslie's wounds are healing now, and I expect my head to be well in a month. At first I thought I might have a chance to go up north with the army as interpreter or chaplain, but that hope is gone and I am among home invalided.

"At one time when Dr. Leslie and his wife were going along in their cart a man came up and attacked them with a sword. The doctor had only one cartridge left in his revolver, and as there was nothing else for it, he shot the man in the head, killing him. The rest of our party, consisting of three men and three women and a child of 1, had gone on ahead and they were held up by robbers. The women put their rings and watches on strings around their necks and inside their dresses and the ruffians tore their clothes open and watched the jewelry off with a truly brutal force. They actually started to tear the women's skirts off, but a remonstrance as to the harmfulness of such conduct by one of the party caused them to stop this. From the villagers on he way they begged food and drink, but none would help them. I sent word to the brigadier-general of one of the towns for help and he sent out fifteen horsemen, but he really did us more harm than good. He told the people in a low voice that there was war going on and that they had no right to protect us, and then he went off to the city, leaving us to come on as best we could. This officer was the Chental Yin and his action might very easily have resulted in a massacre.

"I might mention, by way of illustration, that the Mohammedans in the village we had been at told us they knew the trouble was coming, but they dared not tell us of it. From the way the people gathered around as spectators when we were first attacked it seems to me that robbery was not the real object at all, but that we were to be killed."

IN BESIEGED TIENSIN.

Charles F. Gammon, a Missionary, Tells of the Spatter of Bullets.

The following interesting extract is taken from a letter written in the Japan Daily Mail by Charles F. Gammon.

(Continued on Eighth Page.)